

GOVERNMENT OF ANDHRA PRADESH  
ABTRACT

Medical Education – Suspension of Medical registration of Dr. Kylas Pabba, Karimnagar by A.P. Medical Council – Appeal Petition filed before Appellate Authority - Appeal petition – Rejected – Orders – Issued.

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HELATH, MEDICAL & FAMILY WELFARE (E2) DEPARTMENT

G.O.Rt. No. 1410

Dated:9-8-2011

Read the following:-

- 1) Proceedings of APMC, Hyd. Lr. APMC/DC/015/Case No. 01/2010, dt. 18-12-2010.
- 2) Appeal Petition filed by Dr. Kylas Pabba, Karimnagar before the Govt., dt. 28-12-2010.
- 3) Govt. Lr. No. 79/E2/2011-1, dt. 20-1-2011.
- 4) Govt. Lr. No. 79/E2/2011-2, dt. 19-5-2011.

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O R D E R:

Dr. Kylas Pabba, R/o Karimnagar has filed an appeal under Section 25 of the A.P. Medical Practitioners Registration Act, 1968 against orders passed by the A.P. Medical Council vide their proceedings No. APMC/DC/015/Case No.01/2010, dt. 18-12-2010.

2. The A.P. Medical Council in their proceedings No. APMC/DC/015/Case No. 01/2010, dt. 18-12-2010, has passed the following orders against Dr. Kylas Pabba on a complaint filed by Dr. A.S. Ravi Shankar:-

In view of the decision taken by the General Body of APMC, your name, bearing Andhra Pradesh Medical Council Registration Number : HMC – 12604, dt. 25-1-1989 has been removed from the Medical Register for a period of two (2) years by virtue of power conferred on the Council by Sub-section (2) of Section 17 read with Sub-section (4) of Section 15 of A.P. Medical Practitioners Registration Act, 1968 and the same shall take immediate effect”.

3. Aggrieved by the above orders of the A.P. Medical Council, Dr. Kylas Pabba has filed an appeal before the Government on 28-12-2010, seeking the suspension of the orders and to allow his appeal in the interest of justice.

4. The above appeal of Dr. Kylas Pabba was admitted by the Government and stayed the orders of the A.P. Medical Council passed vide proceedings No. APMC/DC/015/Case No. 01/2010, dt. 18-12-2010 until further orders.

5. The appeal was posted for hearing on 23-5-2011 at 11.30 A.M. The applicant Dr. Kylas Pabba and the officials of the A.P. Medical Council were present and submitted their arguments.

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6. It is observed that the A.P. Medical Council has passed their orders against Dr. Kylas Pabba on the following grounds:-

1. Dr. Kylas Pabba conducted a Press meet and distributed copies of the official orders and pamphlets in the name of Registrar, A.P. Medical Council and distributed the pamphlets to all the patients in the Nursing Home of Dr. Kylas Pabba as evident by the video records.
2. Dr. Kylas Pabba appeared before the Ethics Committee and admitted that it was his nursing home and the distributor was his receptionist. From the evidence, it was clear that Dr. Kylas Pabba has misused the name of the august body APMC and fraudulently printed pamphlets in the name of Registrar and distributed them in the Press meet and at his hospital to settle his personal scores with Dr. A.S. Ravi Shankar.

7. In his defence, Dr. Kylas Pabba has submitted that :-

- a) That the APMC has no jurisdiction to decide inter-se disputes between two citizens.
- b) The APMC has no evidence on record to hold that Dr. Kylas Pabba got printed the pamphlets in the name of Registrar, APMC and distributed. The order under appeal does not show as to how the reputation of APMC etc. suffered a set back. The total findings in the order is without any basis and evidence and they are perverse and illegal.
- c) The impugned order does not answer any of the charges framed but goes beyond the same without any basis in the evidence and contrary to rules regulating the procedure at enquiry held under Section 15 and 17 of APMC Registration Act 1968.
- d) The impugned order does not spell how the personal grievance of the respondent No.2 Dr. A.S. Ravi Shankar against the appellant and as to which portion of the alleged pamphlets read that the same is allegedly issued by using the name of APMC.
- e) The APMC failed to consider the affidavit evidence of Sri J. Narasaiah (Receptionist) and Sri G. Venu stating that the fact that he has no role in printing and distributing.
- f) The APMC has not given him the opportunity to cross examine Dr. A.S. Ravi Shankar

8. The officials of the A.P. Medical Council have reiterated that Dr. Kylas Pabba has violated professional ethics and the orders passed by the A.P. Medical Council are in accordance with the Code of Ethics Regulations, 2002 etc.

9. After hearing the arguments and perusing the records, it is observed that having heard the Counsel for the Appellant, Dr. Kylas Pabba, the Standing Counsel of A.P. Medical Council, for short the "Council" and having regard to the

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facts and circumstances of the case the appellate authority is satisfied that the appellant has caused for printing of the pamphlets and distributed the same with a malicious intention and thus indulged in unethical acts. Hence, the Council is justified in invoking its disciplinary jurisdiction and awarding punishment on the appellant.

10. Government after careful examination hereby ordered that the stay granted earlier through letter No. 79/E2/2011-1, dt. 20-1-2011 is hereby revoked and the appeal petition filed through the reference 2<sup>nd</sup> cited is hereby dismissed.

11. Accordingly, the A.P. Medical Council shall prospectively operationalize its orders passed through the reference 1<sup>st</sup> read above.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SUDHIR  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To  
The Registrar, A.P. Medical Council, Hyderabad  
Dr. Kylas Pabba, Pabba Super Specialities, Heart Care Centre, Old  
Chowrastha, Karimnagar -505 011  
OSD to Minister (Medical & Health)  
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER